

July 13, 2010

TO : THE DISTRICT COURT OF HARRIS COUNTY, TX
129TH JUDICIAL DISTRICT

FROM : BARBARA & LeEROY M. MYERS
12215 CAROLA FOREST DRIVE
HOUSTON, TEXAS 77044

RE : ORDER FOR FORECLOSURE BY LITTON LOAN SERVICING
CAUSE NO. 2010-36072

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FILED
Loren Jackson
District Clerk

JUL 28 2010

Harris County, Texas
Deputy

AD 4:04 PM
P2

We, Barbara ^{2.1} and LeEROY ^{3.1} Myers, hereby request an in-depth hearing regarding the above matter. We have resided at the above address since 1983. Our home was paid in full in June, 1993; however, due to an unexpected financial crisis, we took out an equity loan with Home 123 in 2006 for \$50,000.00 at a fixed rate of 7.4650 with monthly payments of \$462.52.

Our loan started with Home 123 in 2006 however, was sold to New Century, Saxxon Mortgage Services and Litton Loan Servicing. We never encountered problems with Home 123, New Century or Saxxon and, the records will show that our monthly payment of \$462.52 was paid in accordance with the loan agreement; however, when Litton Loan Servicing acquired the loan in 2008, problems immediately began due to a lack of communications between Saxxon and Litton (we were still sending our monthly payments to Saxxon when Litton started calling and writing stating that our loan payments had not been received. Saxxon finally sent the payments to Litton as well as advised them that the payments had been made to them and, we thought everything was sailing along smoothly until Litton started paying our home taxes, purchased flood and home insurance and, created an escrow account. We called Litton regarding the payment of taxes and the escrow account as well as wrote Litton letters (please refer to EXHIBIT "A" & "B"). Litton agreed over the phone to honor our request and, for awhile, things with Litton was looking up until the escrow account situation reappeared along with harrassing calls several time throughout the day; nevertheless, we continued to pay Litton the \$462.52 but, this was not acceptable by Litton.

The situation with Litton became so stressful with the phone calls several times a day at work until, we referred the matter to the Dispute Resolution Center of Harris County (see EXHIBIT "C"). Litton had their representative, Mr. Noel Connely to call and arrange with us and the Dispute Resolution Center a meeting however, Mr. Connely cancelled the meeting thereafter rescheduling only to cancel again.

RECORDER'S MEMORANDUM
This instrument is of poor quality
at the time of imaging

July 13, 2010

PAGE II - ORDER FOR FORECLOSURE BY LITTON LOAN SERVICING
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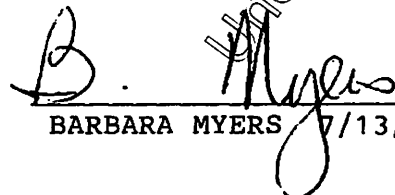
As the harrassing calls became more intensified from Litton, we contacted the U.S. Department of Housing and Urban Development for advice. HUD's representative reviewed the information given to her and referred the matter with Litton to the Texas Workforce Commission Civil Rights Division (see EXHIBITS "D").


Mr. David Pernell, Investigator III, of the Texas Workforce Commission Civil Rights Division is currently investigating our complaint against Litton Loan Servicing (see EXHIBITS "E" & "F").

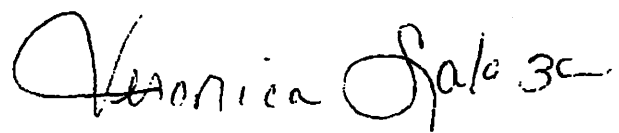
Even though Litton has filed an Order for Foreclosure, the phone calls from Litton continue to come daily and, just today, July 1 2010, an automated call from Litton came proceeded by one of Litton's representative whom, I, LeeRoy spoke with. The representative asked me if I was Mr. Myers and I stated yes, she then proceeded to ask me when I was going to pay my mortgage and, I informed her that Litton is in the process of filing foreclosure on our home and, the representative did not say anything but hung up.

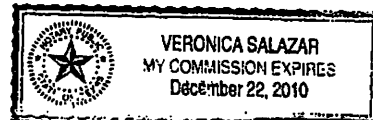
Up until September, 2009, we sent Litton Loan Servicing the agreed loan payment of \$462.52 however, the September check was returned by Litton Loan Servicing (see EXHIBIT "G"). We called Litton to find out why the check was returned and, was told by Litton's representative that the escrowed amount of \$839.09 was the acceptable payment. May, 2010, we had a call from Judy with Litton Loan Servicing requesting a past due payment of approximately \$12,900.00. We informed Judy that we did not have the amount of money to pay Litton and, that we had tried to make our monthly payment but the money was returned by Litton.

In 2006, when we signed the loan agreement with Home 123 at the closing, we made it clear at the closing that we were not interested in an Escrow Agreement therefore, we did not sign this particular form. All we wanted and have tried to do was to honor our loan agreement payment plan. We did not willingly neglect our payment.....Litton was the one who returned the check and decided to set up an escrow account.


BARBARA MYERS 7/13/2010


LeeROY M. MYERS 7/13/2010





7/13/10

EXHIBIT "A"

12215 Carola Forest Drive
Houston, Texas 77044
April 7, 2009

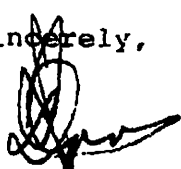
Litton Loan Servicing
4828 Loop Central Drive
Houston, Texas 77081

RE: LOAN NUMBER
12215 CAROLA FOREST DRIVE
HOUSTON, TEXAS 77044
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Dear Madam/Sir:

Enclosed is a copy of Sheldon I.S.D. Tax Office receipt indicating your company paid the school taxes for 2008 for the above property per your Check #2106841 in the amount of \$700.70. I was not aware nor did I ever give Litton permission to pay any property taxes for my house. Enclosed is Check #14762 for \$700.70 to reimburse you for the Sheldon I.S.D. taxes.

Sincerely,


LeeRoy M. Myers

Encl.

Unofficial Copy Office of Chris Daniel District Clerk

P2

4/03/2009

APR

SHELDON I.S.D. TAX OFFICE

11411 C.E. KING PKWY, SUITE A
 HOUSTON, TX 77044-7192
 TELEPHONE: (281) 727-2036
 WWW.SHELDONISD.COM

TAX RECEIPT

ACCOUNT:)-0019 00852640
 MYERS LEEROY M
 12215 CAROLA FOREST DR
 HOUSTON TX 77044-5023

DEPOSIT: 080001
 LT 19 BLK 8
 KINGS LAKE FOREST SEC 1 R/P

12215 CAROLA FOREST DR

TAX YEAR	JURIS	TAXABLE VALUE	TAX RATE	LEVY	PENALTY INTEREST	COLLECTION FEE	TOTAL PAYMENT
2008	01	49,000	1.430000	700.70	.00	.00	700.70
TOTAL TAXES PAID				700.70	.00	.00	700.70
EXEMPTIONS: HOM				TOTAL AMOUNT RECEIVED:			700.70
PAID BY: 005601 LITTON LOAN SERVICING LP				RECEIPT DATE:			03/23/2009
CHECK #: 2106841 REF:				VALIDATION #:			000000-000233450

JURIS = TAXING ENTITY CODES:
 01 SHELDON I. S. D.

Unofficial Copy Office of Chris Daniel District Clerk

EXHIBIT "B"

12215 Carola Forest Drive
Houston, Texas 77044
September 3, 2008

Litton Loan Servicing
4828 Loop Central Drive
Houston, Tx 77081

Attention: Mr. Bruce Hannibel

Reference: Loan # 109

Dear Sir:

As per our conversation on September 2nd, it is hereby requested that the above escrow account be terminated due to the fact that I did not request the escrow account nor did I ever sign up for it. I hereby request that the monthly amount of \$462.52 be reinstated immediately as, this is the amount I will be sending in for the September payment.

If you have any further questions regarding my request, please feel free to contact me at 713-699-0006 any time after 10:00 a.m.


ROY M. MYERS

Unofficial Copy Office of Chris Daniel District Clerk

Wednesday, September 03, 2008 America Online: MYIE